

AO 91 (rev.11/11) Criminal Complaint

AUTHORIZED AND APPROVED DATE: s/ROZIA MCKINNEY-FOSTER

FILED

United States District Court
for the

WESTERN

DISTRICT OF

OKLAHOMA



1:23 pm, Mar 23, 2021

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA
By: Andrea Caster, Deputy Clerk

United States of America

v.

SHANNON KYLE BONNER,

Case No: MJ-21-175-STE

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the dates of May 10, 2016 and May 15, 2016, in the county of Garvin, in the Western District of Oklahoma, while within Indian country the defendant, an Indian, violated:

*Code Section**Offense Description*

18 U.S.C. §§ 2111 and 1153(a)

Robbery within Indian Country

21 O.S. § 1431 and 18 U.S.C. §§ 1153(b) and 13

First Degree Burglary within Indian Country

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent, Charles W. Thumann, Federal Bureau of Investigation, which is incorporated and made a part hereof by reference.

☒ Continued on the attached sheet.

Complainant's signature

Charles W. Thumann
Federal Bureau of Investigation

Sworn to before me and signed in my presence.

Date: **Mar 23, 2021**

City and State: Oklahoma City, Oklahoma

Judge's signature

Shon T. Erwin, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Charles W. Thumann, a Special Agent of the Federal Bureau of Investigation (FBI), Oklahoma City Division, being duly sworn, state:

AFFIANT'S EXPERIENCE

1. I have been employed as a Special Agent (SA) with the FBI since July 2004 and have been assigned to the Oklahoma City Division of the FBI for approximately 11 years. During the past 16 years, I have conducted a wide variety of investigations, including cases involving violent crimes in Indian country.

PURPOSE OF AFFIDAVIT

2. This Affidavit is submitted in support of a warrant for the arrest of **Shannon Kyle Bonner (BONNER)** for the following offenses committed in Indian country (Title 18, United States Code, Section 1151): Title 18, United States Code, Sections 2111, and Title 18, United States Code, Section 1153(a), as well as Title 21, Oklahoma Statutes, Section 1431, and Title 18, United States Code, Section 1153(b), and Title 18, United States Code, Section 13. Since this Affidavit is being submitted for the limited purpose of securing a criminal complaint and an arrest warrant, I have not included every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a criminal complaint and an arrest warrant.

FACTS AND CIRCUMSTANCES

3. I am aware of the information set forth below through conversations with other law enforcement officers, review of reports and affidavits prepared by other law enforcement officers, and review of documents from related state court proceedings. This case was originally investigated by the Pauls Valley Police Department (PVPD).

4. On May 10, 2016, PVPD responded to a call from regarding a domestic dispute at Walmart in Pauls Valley, Oklahoma. PVPD responding officer interviewed Ami Rose regarding an altercation she had with **BONNER**. Rose explained to the PVPD officer **BONNER** called her on her cell phone and demanded money. **BONNER** told Rose that he knew where she was located and would leave her alone once he received money. When **BONNER** arrived at Walmart, Rose gave **BONNER** a \$5 bill and told him to leave her alone. **BONNER** told Rose, "I'm going to fucking get you." **BONNER** then physically attacked Rose by kicking her in the pelvic area and taking her money from her person by force and intimidation.

5. On May 15, 2016, PVPD responded to a call at Rose's residence located at 17 Crown Point, Pauls Valley, Oklahoma. Rose told the responding PVPD officer that **BONNER** kicked in the front door of her residence and retrieved a pair of his boots. **BONNER** told Rose, "I don't have any more warrants bitch." **BONNER** further stated, "If you call the cops on me again, your car is next." Both of Rose's young children were inside the residence and witnessed the incident.

6. On May 16, 2016, the District Attorney for Garvin County charged **BONNER** in Garvin County District Court (case number CF-2016-231) with one count of burglary in the first degree in violation of Title 21, Oklahoma Statutes, Section 1431, and one count of domestic abuse in violation of Title 21, Oklahoma Statutes, Section 644(C).

7. On May 29, 2018, the District Attorney for Garvin County amended the charges and charged **BONNER** in Garvin County District Court (case number CF-2016-231) with one count of burglary in the first degree in violation of Title 21, Oklahoma Statutes, Section 1431, and one count of robbery in the second degree in violation of Title 21, Oklahoma Statutes, Section 791.

8. On June 8, 2018, **BONNER** entered a plea of nolo contendere to one count of burglary in the first degree in violation of Title 21, Oklahoma Statutes, Section 1431, and one count of robbery in the second degree in violation of Title 21, Oklahoma Statutes, Section 791. **BONNER** was sentenced to 10 years in prison.

9. This Court has jurisdiction pursuant to Title 18, United States Code, Section 1153, because **BONNER** is an enrolled member of the Chickasaw Nation and possesses some Indian blood, according to official records of the Chickasaw Nation. According to official maps of the Chickasaw Nation and the U.S. Department of Interior, both offenses occurred within Indian country, because the location is within the exterior boundaries of the Chickasaw Nation Reservation, which qualifies as Indian country under Title 18, United States Code, Section 1151(a). Furthermore, Garvin County is in the Western District of Oklahoma. On December 23, 2020, **BONNER** filed an application for post-conviction relief in which he argued that the Garvin County District Court lacked

jurisdiction to try him because he is a citizen of the Chickasaw Nation and the crimes occurred within the boundaries of the Chickasaw Nation.

10. Based upon my training and experience, and the facts and circumstances described above, I believe probable cause exists to support a criminal complaint and arrest warrant for **Shannon Kyle BONNER** for violations of Title 18, United States Code, Sections 2111 and 1153(a), committed on or about May 10, 2016, as well as Title 21, Oklahoma Statutes, Section 1431 and Title 18, United States Code, Section 1153(b), and Title 18, United States Code, Section 13, committed on or about May 15, 2016, all while within Indian country as defined by Title 18, United States Code, Section 1151.

Further Your Affiant sayeth not.



Charles W. Thumann
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this the 23rd day of March, 2021, at Oklahoma City, Oklahoma.



Shon T. Erwin
United States Magistrate Judge